



Established 1771

• COUNTY COMMISSIONERS
Walter Petty, Chair
Brian Bock, Vice Chair
Mike Cross
Pamela Stewart

• COUNTY MANAGER
Charlie Horne

P. O. Box 1809, Pittsboro, NC 27312-1809 • Phone: (919) 542-8200 • Fax: (919) 542-8272

Memorandum

TO: Towers Mingledorff, Chuck McGrady, and Andrew Brock

From: Brian Bock, Vice-Chair, Board of Commissioners of Chatham County

Subject: Comments submitted regarding local control of environmental regulations

Date: February 17, 2014

Please submit the points below as my comments to the committee regarding the value of keeping environmental regulatory decisions in the hands of locally elected officials.

Please extend my apologies to the Senators for not being able to be present on February 17th. That is a Board of Commissioners meeting date for Chatham County.

Local Government Control of Environmental Regulations Chatham County, NC

- Topography, soil types, drinking water sources, and environmental sensitivities vary greatly across NC. Likewise, environmental protection standards vary between the mountain, piedmont, and coastal regions of the state.
- Many local governments have sensitive natural resources that the public and local officials have decided should be protected beyond the minimum required by state or federal rules.
- Counties and municipalities would not be well served by a "one size fits all" approach based on physical geography alone. Furthermore, the nature and intensity of development can vary widely from urban to rural areas. Allowing targeted processes and solutions within environmental regulations offers clear benefits when dealing with diverse landscapes and natural resources. Citizens and elected officials should remain able

to assess and self-determine the provisions within environmental regulations that are best suited to protect the character, natural resources, and property values within their community.

- Chatham County currently has a number of ordinances that are more stringent than state or federal laws/rules. Examples of these ordinances include 1) Soil Erosion and Sedimentation Control, 2) Stormwater Management, 3) Flood Damage Prevention, and 4) Watershed Protection. As growth and development increased significantly over the last decade, changes to these ordinances were necessary to address public demand for natural resource protection. Several provisions within these ordinances were strengthened to address impacts associated with the boom in residential construction. In 2008, the threshold of land disturbance triggering the requirement for an erosion control plan was reduced to 20,000 square feet (the state minimum is 1 acre) and issuance of a Residential Lot Disturbance Permit became necessary for all new residential dwellings. The County also increased stream buffers and stormwater controls to protect the water quality of Jordan Lake which is a water supply and recreational asset to the County. These are some of the changes that reflect the intense local support for regulations tailored to address the impacts associated with growth in Chatham County.
- State environmental rules were implemented as the minimum required for protection of North Carolina's natural resources. Local governments have been allowed to make rules based on local conditions and environmentally sensitive areas as long as they were at least as protective as the state rules. In other words, the state rules were developed and implemented as the "floor" that local jurisdictions could not go below. What is being proposed would set the state rules as both the "ceiling" and the "floor" which was not the intent when the rules were developed through the state's rulemaking process that included citizen and stakeholder input.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Bock", with a stylized flourish at the end.

Brian Bock, Vice-Chair

Chatham County Board of Commissioners